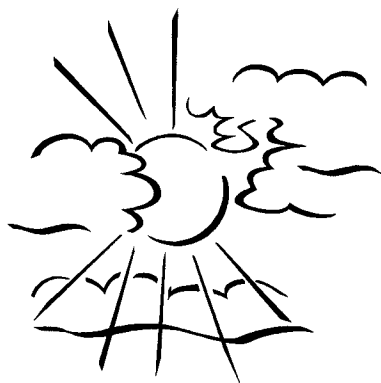


***Department  
of  
Human  
Services***

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DHS Office of  
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(517) 373-7394



# **Articles in Today's Clips**

## **Wednesday, April 26, 2006**

(Be sure to maximize your screen to read your clips)

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# 4-year lifetime limit on welfare sought

## GOP lawmakers tout new proposal

*April 26, 2006*

BY DAWSON BELL  
FREE PRESS STAFF WRITER

Republican lawmakers said Tuesday that they will try once again this year to enact a 4-year lifetime limit on state welfare benefits in an effort to avoid federal penalties and get welfare recipients back to work.

Gov. Jennifer Granholm vetoed welfare legislation that included the 4-year limit in December, saying that it went too far and would force "families with children into utter economic desperation or homelessness." But state Rep. Jerry Kooiman, R-Grand Rapids, said he hoped for a better result this year.

In part, Kooiman said, the new House proposal, which is headed for a committee, includes more extensive efforts to prepare hard-to-employ welfare recipients for work and to qualify the truly unemployable for Social Security disability payments.

Karen Stock, spokeswoman for the Department of Human Services, defended efforts under way to move more welfare recipients into jobs, including expanding pilot programs to increase job readiness and avoiding federal financial penalties. She said administration officials will review the specifics of the Republican proposal.

At a Tuesday morning news conference, Kooiman said that without dramatic increases in the percentage of welfare recipients moving into the workforce, Michigan could lose about \$100 million in the next year.

Stock said department officials don't think time limits make sense because they fail to account for those with "serious barriers to work." For people with substance abuse problems, few or no skills, little or no child care, "we're absolutely opposed" to lifetime limits on benefits, she said.

State Rep. Rick Shaffer, R-Three Rivers, who chairs the House subcommittee on welfare, said the Republican proposal is modeled on successful welfare-to-work plans in other states, especially Georgia. The idea, Shaffer said, is not to punish welfare recipients "but to help them succeed."

Also included in the proposal are:

- Mandatory drug testing for welfare recipients where there is an indication of substance abuse.
- Limits on benefits for those who come to Michigan from other states within 90 days of applying for welfare.
- Standardization of welfare payments across the state.
- Employment subsidies of \$25 per month to increase work incentives.

The 4-year limits would be suspended under some circumstances, including high (10% or more) unemployment in the recipient's home county, or for three months for the birth of a child.

Contact **DAWSON BELL** at 313-222-6604 or [dbell@freepress.com](mailto:dbell@freepress.com).

Wednesday, April 26, 2006

## **GOP pushes 4-year cap on welfare**

Limit would save the state \$47 million, only allow payments for 24 consecutive months.

**Gary Heinlein / Detroit News Lansing Bureau**

LANSING - Republicans are renewing efforts to put a four-year lifetime limit on public assistance and require those who receive it to find work.

Their latest plan, saving the state an estimated \$47 million, also wouldn't let anyone collect payments for more than 24 months in a row. It borrows from a Georgia law that has spurred 64 percent of recipients to get jobs, up from 16 percent 1-1/2 years ago, according to proponents who unveiled new legislation Tuesday.

"Able-bodied people need to transition from dependence to self-sufficiency," said Rep. Jerry Kooiman, R-Grand Rapids, one of the sponsors. Without penalties and restrictions, there's little motivation to do so, he added.

House Republicans said their strong prescription, which mixes sanctions with support in entering the work force, is needed to meet new federal welfare-to-work rules.

The penalty for failure to comply could hit \$100 million.

Current rules say at least 50 percent of single parents and 90 percent of couples with children on public assistance must have jobs, lawmakers said, whereas the proportion in Michigan is less than half that. Federal officials will measure compliance on a monthly basis, starting in October.

The state has never restricted the number of months or years someone could receive assistance. There are 211,000 people enrolled in Michigan's program, which is directed almost entirely toward poor families with children.

Gov. Jennifer Granholm vetoed a Republican-sponsored, four-year lifetime restriction on public assistance in December, calling that plan too harsh and saying it would deny help for 157,000 needy children. But the governor said she didn't object to limits on assistance if there were exceptions to protect those who simply can't land jobs or must stay home to care for infants.

The new GOP plan contains some such exemptions. Recipients living where unemployment topped 10 percent would get more time, for example.

It also would allow recipients to spend up to 12 months getting high school equivalency diplomas before they'd have to find employment. Those getting jobs would qualify for a \$25 monthly subsidy.

Karen Stock, spokeswoman for the Department of Human Services, said agency officials, who have been working with lawmakers on welfare reform, want more details before commenting on the plan.

"Because we're working together on this, there is a lot of agreement," Stock added.

*You can reach Gary Heinlein at (313) 222-2470 or [gheinlein@detnews.com](mailto:gheinlein@detnews.com).*

### **Limiting assistance**

House Republicans' welfare reform rules would:

- Impose a four-year lifetime and a 24 consecutive month limit on assistance.
- Require recipients to find jobs, after helping them get added training or education.
- Impose penalties from 90 days to lifelong termination of benefits for those failing to get jobs.
- Require periodic drug testing for applicants who've had substance abuse problems.
- Give a \$25 monthly state bonus to those finding work, until they become self-sufficient.

Published April 26, 2006  
[ From the Lansing State Journal ]

## **Lawmakers renew push for changes to welfare**

### **Proposal would prohibit aid for more than 4 years**

By Tim Martin  
Associated Press

House Republicans are again pushing for changes in the state's welfare system.

The plan announced Tuesday would prevent able-bodied welfare recipients from getting benefits for more than two consecutive years or more than four years combined in their lifetime. Recipients would get more assistance with education and finding jobs in an effort to help them become self-sufficient.

Recipients would lose some of their benefits if they don't fulfill work or training requirements.

The plan comes about four months after Democratic Gov. Jennifer Granholm vetoed some similar measures passed by the state Legislature. This year's GOP plan has some differences, but many of its main features have similar themes. Several GOP members will sponsor the legislation.

Michigan is one of the few states that do not have limits on how long

a welfare recipient can receive assistance. The federal government has a five-year limit but allows states to have a portion of the population continue to receive benefits for a longer period.

Granholm said in her veto letter last year that she supports limiting the amount of time welfare recipients can receive cash if there is nothing keeping them from self-sufficiency. But she said the proposals went too far and that a lifetime limit on aid would hurt recipients who follow the rules but don't earn enough money to get out of poverty.

REPORT NO. 79 VOLUME 45

TUESDAY, APRIL 25, 2006

## **G.O.P. WELFARE PLAN INCLUDES** **LIFETIME LIMIT, ENHANCED** **ASSESSMENT**

Hoping that third time is the charm, House Republicans unveiled another welfare reform proposal Tuesday, which includes the reintroduction of a 48-month lifetime limit, as well as increased attention to assessment and training of able-bodied adults.

Republicans said the time is now to help more people receive the education and training they need before the state is slapped with penalties for not meeting the 50 percent work requirement for single-parent households (90 percent for two-parent households) by October 1.

Those penalties could amount to more than \$100 million, said Rep. Jerry Kooiman (R-Grand Rapids), however, he said officials have been told that if they are making concentrated efforts at reform they might be able to have those penalties waived.

In January, the federal government changed the year it used as a benchmark for state caseload reductions from 1995 to 2005, which essentially eliminated a credit states received on their funding. Michigan deleted thousands of welfare cases in the mid-1990s after reforms were implemented under Governor John Engler, which boosted the state's credit, but has since been lingering in the 78,000-case range.

But either way, the governor's plan to create a \$50 million fund for those who have the greatest limitations to self-sufficiency is not the route to go, Mr. Kooiman said, adding that the Republican plan would move people into a working environment faster than Governor Jennifer Granholm's plan.

"This is not an election year issue, it's about doing the right thing for the taxpayers of Michigan" he said. "We can't afford to sit back and wait."

The GOP model is similar to Georgia, he said, where the state saw 16 percent of its welfare population working jump to 64 percent after just over a year of reforms. Michigan currently has about 34 percent of people working.

Under the Republican proposal, people would still have a 48-month limit on lifetime cash assistance, however, they could not receive that assistance for

more than 24 months at a time. The "clock" would stop if a person is exempt from Work First.

The plan also implements a four-strike rule instead of three, where the first and second violations of the welfare program would mean a deletion of benefits for 90 days, with the third violation costing someone a year's worth of benefits.

Assessment of a person in the application process for federal Supplemental Security Income would also be contracted out to local non-profit agencies, Mr. Kooiman said. People who are not eligible for SSI would receive expanded education and training programs, including up to a year off for someone to obtain a GED.

People on cash assistance also would be subject to drug testing if there are indicators of abuse, and the Department of Human Services would have to check on what type of cash assistance an applicant who recently moved to Michigan was receiving from a different state. Those people would be subject to the terms of the assistance in the other state and not Michigan, Mr. Kooiman said.

DHS staff would be added in district offices, he said, and recipients of cash assistance who obtain work would still receive \$25 each month as an employment subsidy.

Karen Stock, spokesperson for DHS, said the Granholm administration has been working on welfare reform for more than a year and has a plan in place with the Jobs, Education and Training program (JET), which will be up and running statewide by the time the federal requirements are in place.

There are many areas of agreement between the parties on the issue and the department will continue to work in a bipartisan fashion to come to a consensus, she said.

Rep. Chris Kolb (D-Ann Arbor), who has been a leading Democrat on the issue in the House, agreed that there are some areas that both sides can sign off on, but added that the contentious issues, such as the sanctions and 48 month limit are still in the mix.

"Now we have a starting off point and we need to move forward," he said.

Wednesday, April 26, 2006

## **Michigan's uninsured go without health care**

New research is the first major effort to attach data to medical care reality.

**Sharon Terlep / The Detroit News**

Michigan's uninsured adults are five times more likely to forgo necessary health care than those with medical coverage, according to a study to be released today.

The research is the first major effort to attach data to the common-sense notion that people without insurance have a harder time getting medical care.

"It's important to have the numbers to show the degree of difference between those with and without coverage," said Michael Davern, research director at the State Health Data Assistance Center, which compiled the data. "It is intuitive that people are less likely to be able to afford care, but most people don't understand the extent of that difference."

The figures will be announced today as Michigan's political and medical leaders gather in Detroit to call attention to national Cover the Uninsured Week, which begins Monday. The week, organized by New Jersey-based Robert Wood Johnson Foundation, will feature dozens of Metro Detroit events designed to highlight the state's growing uninsured problem and offer help to people who need coverage.

About 1.1 million people in Michigan lacked health insurance in 2002, according to the most recent data.

In Michigan, about 396,000 uninsured adults, or 43 percent of the uninsured population, have been unable to afford necessary medical care within the last 12 months, according to the new report. That's compared with 456,000, or 9 percent of adults with insurance who said they couldn't afford care.

Nationally, about 41 percent of the uninsured population could not afford care, compared with 9 percent of those with insurance.

Michigan's uninsured are nearly three times less likely to have a personal health care provider and far more prone to skip preventive measures. Half of uninsured women ages

40 to 64, for example, received a mammogram in the last two years, while 80 percent of those with coverage did. And one-third of uninsured men ages 40 to 64 received recommended prostate cancer screenings, compared with half of those with insurance.

While Michigan's official uninsured tally is a few years old, leaders in Metro Detroit's medical community say the anecdotal evidence shows the problem is getting worse as more employers lay off workers or scale back benefits.

Fewer people are showing up at doctors' offices. More patients are getting elective surgeries, presumably to get the work done before they lose coverage. And emergency rooms are seeing more patients without an ability to pay.

"Employers have begun to step back from paying first-dollar coverage, and it's having an impact upon the uninsured," said Gail Warden, a trustee emeritus of the Robert Wood Johnson Foundation and chairman of the Detroit Wayne County Health Authority.

Gov. Jennifer Granholm will be at today's event to call attention to the uninsured problem and drum up support for a \$1 billion plan to cut in half the number of Michiganians without health insurance, said her spokeswoman Liz Boyd.

*You can reach Sharon Terlep at (313)223-4686 or [sterlep@detnews.com](mailto:sterlep@detnews.com).*

**Cover the Uninsured Week** Events next week will highlight Michigan's uninsured problem:

**Monday:** Interfaith prayer breakfast, 8:30 a.m. to 11 a.m. at Cobo Center. About 300 faith leaders will lobby for better health care for the uninsured. Call (313) 874-1677 for reservations.

**Wednesday:** NETworks 2010 meeting, 8:30 a.m. to 11 a.m. at Fellowship Chapel, 7707 Outer Drive. Community leaders will discuss plans for a safety net for the uninsured. Call (313) 874-7443.

**Thursday:** All-day enrollment fair, 8 a.m. to 8 p.m. at Cobo Center. Agencies will be on hand to enroll people in health coverage options for low-income people.

**All week:** Health fairs being held throughout the region offering free screenings and information. Call (313) 531-9108.

# Plan would help pay for health insurance

Web-posted Apr 26, 2006

By SVEN GUSTAFSON  
Of The Oakland Press

Members of Michigan's congressional delegation are championing legislation aimed at lessening the numbers of uninsured, low-income residents by offering federal grants to institute three-payer health care plans.

In a conference call with reporters Tuesday, U.S. Rep. Pete Hoekstra, R-Holland, said he's introducing legislation that would provide \$45 million in federal grants over seven years. The money would serve as a 30-percent seed match for local funding, which could be evenly split between communities and the employee.

The proposal is based on existing programs in Muskegon and in the Toledo/ Lucas County area of Ohio.

Hoekstra said the legislation allows for local control, flexibility and ongoing modifications to plans. It would target small businesses that have not offered health insurance to employees for at least a year and pays median wages of \$11.50 or less. To qualify, employees must be ineligible for Medicare or Medicaid and lack access to spousal insurance coverage.

The Census Bureau reported that in 2004, the most recent year for which data are available, there were nearly 46 million uninsured residents in the United States.

"I think this is targeted primarily at low-income folks who fall in the gaps. ... It's not intended to be a replacement for all other kinds of insurance, it's a component targeted at a specific group that historically has been very, very hard to reach," Hoekstra said.

The legislation has three main components:

The three-payer model of sharing monthly expenses;

Establishing a network of specialized physicians in fields such as cancer treatment or orthopedic care, who are willing to provide free care. The federal grants could be used to recruit specialists to an area where they are otherwise hard to find;

And establishing a central clearinghouse of information to be used to evaluate and learn from local programs.

"We need to make sure that we get the information so that others can learn from the communities that will be selected for these programs," Hoekstra said.

Vondie Woodbury, executive director of the Muskegon Community Health Project, one of the programs upon which the proposal is based, said the program has served 536 small businesses and more than 5,000 people since its inception in 1999.

Enrollment in the program, called Access Health, costs approximately \$160 per month per individual, with 30 percent each coming from the employee and the employer and 40 percent from the community from various sources.

Woodbury said \$2.3 million of the program's \$2.5 million cost is returned to health care providers. She said communities in 35 states have inquired about the program since it began.

"There's a great deal of excitement about these programs," she said.

The other program model, CareNet of Toledo/Lucas County, offers care through a program offered by providers and had an overall budget of \$3.5 million last year. The program has enrolled about 9,700 since it began in 2003, currently has about 5,000 active members, and has decreased emergency room visits by members by an estimated 37 percent, said Jan Ruma, the program's executive director.

Novi-based Trinity Health, which owns St. Joseph Mercy-Oakland Hospital in Pontiac and St. Mary Mercy Hospital in Livonia, is actively lobbying on behalf of the legislation along with Cincinnati-based Catholic Healthcare Partners.

Tim Eckels, vice president for public policy for Trinity Health, said the company's Mercy General Health Partners hospital in Muskegon participates in the Access Health plan. He said the program provides comprehensive services and more effective care.

"They've been able to do it at a more reasonable cost in part because they've organized the delivery system more effectively to be able to help the patients," he said.

Joining Hoekstra in cosponsoring the bill so far are Reps. Mike Rogers, R-Brighton, Thaddeus McCotter, R-Livonia, and Vern Ehlers, R-Grand Rapids. Eckels said supporters will seek Democratic cosponsors next week.

Hoekstra said supporters may look to combine the legislation into an overall package on health care to boost its chances of being approved.

Developed in 1993 with a W.K. Kellogg Foundation grant, and implemented in 1999, Access Health has served 546 small businesses and provided health coverage for more than 3,000 people, according to Woodbury. Ninety-seven percent of local physicians and health systems in Muskegon participate in the program.

Access Health is open to small- or medium-sized businesses that have not provided commercial health insurance to their employees for the previous 12 months and that pay workers \$11.50 or less an hour.

"This provides us an experiment to truly manage the care of the enrollees to help them become responsible consumers of health care services," said Roger Spoelman, president and chief executive officer of Mercy General Health Partners in Muskegon, one of the local partners.

The federal bill also creates a federal repository for information about proven community-based solutions, allowing other communities to review data to see whether the programs would work in their areas.

"America's working families deserve every possible option for health care access," said U.S. Rep. Mike Rogers, R-Brighton, who co-sponsored the legislation

# Local help for uninsured holds promise

Wednesday, April 26, 2006

By Sarah Kellogg  
Washington Bureau

WASHINGTON -- Local communities could play a larger role in helping uninsured individuals and families find health care coverage if newly introduced legislation is signed into law by the president.

The bill Introduced Tuesday in Congress would set aside \$45 million in federal grants over seven years as seed money for communities to design and implement local programs to provide health insurance or health care services to the uninsured. There are 1.1 million uninsured people in Michigan.

"As we all know, there are way too many Americans who do not have access to health insurance and therefore they do not have access to health coverage," said U.S. Rep. Pete Hoekstra, R-Holland, the bill's main sponsor.

"We also know that as we face this issue in health care, there's not a silver bullet to address these concerns. We need to be doing a lot of things in a lot of different areas."

Inspired by Muskegon's Access Health insurance program, the Communities Building Access Act would allow communities to leverage federal grants to create local health insurance cooperatives where the cost of care is shared by the local government, employers and employees.

The money also could be used to create volunteer specialty provider networks, in which providers discount their services to care for low-income members of the network. CareNet of Toledo/Lucas County, Ohio, is the most prominent example of such a network.

Vondie Woodbury, director of the Muskegon Community Health Project, said that these community-based solutions are appealing to the business community, which has been reluctant to embrace national solutions for fear they would be costly and require too much red tape.

"Small businesses by and large ... are interested in approaches like this because, for the most part, there's a great deal you can do within communities that you can't do with a larger, top-down, silver-bullet approach," said Woodbury.

# Three Medicaid outreach events planned

HOMETOWN HEADLINES

GENESEE COUNTY

THE FLINT JOURNAL FIRST EDITION

Wednesday, April 26, 2006

By Ron Fonger  
rfonger@flintjournal.com • 810.766.6317

Medicare beneficiaries have three more chances to get help in choosing a prescription drug plan before May 15.

The Valley Area Agency on Aging and the Michigan Medicare Medicaid Assistance Program have scheduled the following outreach events:

- 10 a.m.-3 p.m. May 4 at Memorial Health Care, 826 W. King St., Owosso. For information or to register, call (866) 900-6422.
- 10 a.m.-3 p.m. May 5 at Loose Senior Center, 707 N. Bridge St., Linden. For information or to register, call (810) 735-9406.
- 11 a.m.-3 p.m. May 8 at Haskell Community Center, 2201 Forest Hill Ave., Flint. For information or to register, call (810) 766-7144.

Medicare beneficiaries should bring a list of current prescriptions including name, dosage, how the drug is to be taken and how often, according to a news release from VAAA.

Registration for the events is mandatory at least 10 days prior to the event, according to VAAA.

# Deadline looms for Medicare drug-plan signup

Wednesday, April 26, 2006

By Sarah Kellogg  
Kalamazoo Gazette Washington Bureau

WASHINGTON -- Michigan senior citizens have until May 15 to sign up for Medicare's new prescription-drug benefit or risk a financial penalty.

Advocates for the elderly said Monday that as many as 400,000 Medicare beneficiaries in Michigan are still without drug coverage and could benefit substantially by signing up for Medicare Part D.

"Ninety-nine percent of the population benefits and saves money with Part D," said Mary Johnson, director of the Michigan Medicare/Medicaid Assistance Program, a statewide program that counsels seniors. "You can't look at what the calculations were for your neighbor. You have to look at how it will specifically affect you."

Part D is the federal drug-insurance program that helps seniors offset the cost of their prescriptions. To participate, seniors must pay premiums, co-payments and deductibles.

Medicare beneficiaries, including seniors and disabled people, who don't sign up by May 15 will have to wait until enrollment opens again on Nov. 15.

Seniors without drug coverage who don't enroll by the deadline will face higher premiums when they eventually do -- a 1 percent premium increase for each month they delay. Seniors who miss the May deadline will be looking at a 6 percent increase in their monthly premium if they enroll in November.

The premium penalty, which lasts for life, doesn't apply to those who have coverage through a former employer or union.

Some in Congress argue that with so much at stake, the deadline should be postponed, especially since the implementation of Medicare Part D has been riddled with problems nationally. The program took effect Jan. 1.

"We need at least to give folks more time to be able to figure this out and to be able to feel comfortable with the choices they have," said U.S. Sen. Debbie Stabenow, Michigan's junior senator. "Extending the May 15 deadline is our immediate goal."

Michigan has had fewer problems than other states during the transition. State Medicaid Director Paul Reinhart told lawmakers in March that the implementation had been ``a major success." He credited the Michigan Department of Community Health's electronic tracking and payment systems, as well as local pharmacists who ensured that the program worked well from day one.

While the Bush administration admits there were problems early on, officials say they've been solved. They oppose any effort to postpone the deadline and are working to enroll stragglers.

Since November, more than 538,000 Michigan seniors have signed up for a drug plan or been automatically enrolled in a plan by the state because they are eligible for Medicaid as well. About 500,000 of Michigan's 1.5 million Medicare beneficiaries receive drug coverage through former employers or unions.

``This is an insurance product, and seniors need to think of it in that way and make their decisions accordingly," said Andy Farmer, a spokesman for Michigan's AARP chapter. ``Like any other insurance product, it's not just what you need to protect now but what you might need to protect in the future."

Johnson said she's hoping seniors with incomes below \$14,355 for an individual and \$19,245 for a couple will look more closely at the program, since they are eligible for additional premium and cost-sharing assistance.

# **Baby's Death Ruled Homicide**

## **Monroe Police Investigate**

POSTED: 12:58 pm EDT April 25, 2006

The death of a baby has been ruled a homicide.

Gracie Simmons, 17 months, died of head trauma, according to a Monroe County medical examiner.

Gracie was in the care of her father's girlfriend at the time of her death on Thursday. When the baby's father, Joseph Simmons, came home his girlfriend handed the baby to him and told him she wasn't breathing, according to the *Monroe Evening News*.

Simmon's girlfriend called 911 and emergency paramedics rushed the child to the hospital where she was pronounced dead.

Monroe police are investigating. No suspects are in custody.

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# **Couple charged in tot's abuse**

Wednesday, April 26, 2006

THE SAGINAW NEWS

**BAD AXE --** A Bad Axe couple faces criminal charges of intentionally harming their infant son, causing critical injuries in February.

Huron County District Court Judge Karl E. Kraus arraigned Ryan S. Welshans, 24, and Stardust L. Welshans, 23, on first-degree child abuse Friday, the Huron Daily Tribune reported. The felony charge carries a maximum sentence of 15 years in prison.

Doctors at Hurley Medical Center in Flint treated the 1-month-old boy for a fractured skull, ribs, collarbone and other injuries, Saginaw News records show.

The infant and his 1-year-old brother remain in foster care.

# **Mom questioned in infant's injuries**

Wednesday, April 26, 2006

By Scott Hagen  
shagen@citpat.com -- 768-4929

Police are questioning the mother of a 1-month-old girl who was flown to an Ann Arbor hospital with blood on her brain and bruising on her body.

The mother, 21, and her boyfriend, 25, brought the little girl into the emergency room at Foote Hospital about 5 a.m. today and told hospital staff she was having difficulty breathing, Jackson Police Lt. Aaron Kantor said.

Doctors examined the girl -- born at the hospital only a month before -- and found bruising on her body consistent with child abuse. Head injuries also indicated some type of blunt-force trauma, Kantor said.

The girl was flown to C.S. Mott Children's Hospital in Ann Arbor and was listed in critical condition this morning.

"The injuries were such that we definitely had questions," Kantor said.

Police questioned the mother and her boyfriend this morning and searched for evidence of child abuse at their house in the 900 block of E. Porter Street.

"At this point in time, the information provided by the mother and the boyfriend is not consistent with the injuries indicated by medical personnel," Kantor said.

Department of Human Services was contacted because a 4-year-old girl also lives at the house, Kantor said.

No criminal charges have been filed, and police are continuing to investigate.

# **Child Shot In Face Remains Critical**

## ***Police Continue To Investigate***

POSTED: 11:47 am EDT April 25, 2006

The 3-year-old boy who allegedly shot himself in the face on Monday night in Detroit remains in critical condition.

The little boy pulled a gun from underneath a mattress in a front bedroom of a home and shot himself, according to witnesses.

Evidence was also collected from inside the home, including a rifle, according to police.

Police questioned many witnesses at the scene and took one individual away in handcuffs.

Investigators are questioning the incident and looking at all possibilities of the case, including that the child may have been caught in the crossfire of an argument.

Police remind homeowners to secure weapons to assure safety inside the home.

"We have gun locks that we have in all the districts that we pass out for free," said Cmdr. Scott Kohls, of the Detroit Police Department.

"We have them available at the front desk so adults can secure their weapons and make it safe."

The child remains in critical condition.

The investigation continues.

# Prosecutors describe teacher's affair with student

Wednesday, April 26, 2006

By TOM GILCHRIST  
BAY CITY TIMES WRITER

SANDUSKY - Prosecutors say Cass City High School music teacher Douglas P. Burtch Jr.'s relationship with a female student went beyond two illegal acts of sexual intercourse at Burtch's country home.

Burtch, a Standish native, chatted with the girl during hundreds of phone calls and - months after her graduation - took her to a Mackinaw City hotel for a \$239-a-night tryst in a room with a Jacuzzi and special mirror, prosecutors said.

After the 15-month relationship ended and after another female student told the girl Burtch also had engaged in sex acts with her, the first girl reported Burtch to school leaders, according to testimony in Burtch's trial that began Tuesday in Sanilac County Circuit Court.

"He had promised me I had been the only one and that there had been no other students he'd done that with," the woman testified about Burtch, charged with two counts of third-degree criminal sexual conduct.

If convicted of either count, the popular teacher credited with resurrecting Cass City High's dying music program would face up to 15 years in prison.

The woman testified that - at age 17 - she had sex with Burtch at his home along Germania Road in Sanilac County's Greenleaf Township on two different nights in December 2003.

"After sex (on Dec. 11) we laid together and talked about things that people who are dating talk about - marriage, a future together ... love," the woman, now 20, told the jury.

Michigan law makes it a crime for a teacher to engage in sex with any student under age 18.

If Burtch wins acquittal in Sanilac County this week, he still faces an Oct. 10 trial in Tuscola County Circuit Court on eight counts of criminal sexual conduct. Those charges involve the second female Cass City High student, who claims Burtch engaged in sex with her after he moved from his Sanilac County home to a house in Cass City in Tuscola County.

Despite his legal troubles, about two dozen supporters sat in the courtroom behind Burtch, a slender, clean-cut man who hugged and shook hands with backers during breaks in the trial.

"I consider Doug like a son, and like his parents, I have many nights I just can't sleep thinking about this," said David J. Kjellberg, 69, of Standish, a retired music instructor for the Standish-Sterling Community School District who attended the trial.

"I wouldn't convict him, no matter what these girls said," said Tom Proctor, 69, a retired Cass City pharmacist and music-program supporter also in attendance.

"I wouldn't know much about these girls, because their reputations are so bad," Proctor said. "I just know what Doug did with our music program. He did a fantastic job."

Under Burtch, student participation in Cass City High School's band program soared from about 25 students in the summer of 2003 to more than 114 in the fall of 2005.

Both Sanilac County Prosecutor James V. Young and Burtch's lawyer, Bad Axe attorney Walter J. Salens Jr., told the jury the case against Burtch hinges on the "credibility of witnesses."

Salens said the alleged victim in the Sanilac County trial taking place this week has been "changing her story all the time."

Under cross-examination by Salens, the woman admitted that she at first told three young women that she had sex with Burtch, but then reversed her story to tell two of the three that she didn't have sex with the teacher.

The woman testified she felt "a little bit" betrayed by Burtch after another girl claimed - months after the alleged victim and Burtch split up - that she also had sex with the teacher.

"Did you ever make a statement to (a friend) that you were going to get even with (Burtch)?" Salens asked.

"No, I did not," the woman testified.

Young told the jury Burtch admitted to police that he took the woman - when she was 18 - to Mackinaw City.

"Mr. Burtch is not on trial simply because he went out with (the alleged victim) after she turned 18," Salens said.

Salens told jurors Burtch's grandparents will testify they were at Burtch's Sanilac County home on Dec. 11, 2003, the first night the alleged victim claims she had sex with Burtch at his house.

Young, however, said the alleged victim and her female cousin had dinner with Burtch at an Applebee's Neighborhood Grill & Bar restaurant near Fashion Square Mall one day later in December 2003.

Young said the female cousin drove the girl back to Cass City that day, the same night the alleged victim claims Burtch had sex with her again at his home.

Prosecutors say that in the hours after coming back to Cass City and dropping the alleged victim off at her own car, the cousin said the alleged victim called her. On a hunch, the cousin hit the "redial" button on her phone, discovering Douglas Burtch answering on the other end, Young said.

# Man faces sex assault charge

Wednesday, April 26, 2006

By Scott Hagen  
shagen@citpat.com -- 768-4929

A mother opened the door to her Jackson home Tuesday morning and found her baby sitter's boyfriend partially undressed on the couch with her 5-year-old daughter, police said.

The 22-year-old man, whose name is not being released pending formal charges, is facing a count of first-degree criminal sexual conduct.

The mother talked with her daughter, who said she had been sexually assaulted.

Since the beginning of the year, two other men have been charged with sexually assaulting 5-year-old girls in Jackson County. One of them, Michael Cole, who pleaded guilty in March to an incident that occurred in February, was sentenced today to 12 1/2 to 30 years in prison.

"I don't know if it's a trend, but it's a terrible thing," said Tanda Reynolds, executive director of the Jackson County Department of Human Services. "No child should have to live with that."

At 10 a.m. Tuesday, the mother of the 5-year-old girl, as well as the stepfather and a friend, returned home to see the man and little girl on the couch inside the home on Biddle Street, Jackson police Lt. Aaron Kantor said.

The mother told police the man was startled and immediately became nervous, police said. He then jumped up and ran from the house, Kantor said.

During an examination at Foote Hospital, medical staff found evidence that an assault had occurred, Kantor said. The 20-year-old baby sitter told police she was at the house the entire time and did not witness anything, Kantor said.

Police searched the area and found the suspect walking in the 700 block of S. Blackstone Street. He was lodged at the Jackson County Jail and is expected to be arraigned today.

# **Man faces federal indictment on porn, child porn charges; wife accused of aiding and abetting sales of obscene materials**

By Steve Zucker Petoskey News-Review staff writer  
*Tuesday, April 25, 2006 2:19 PM EDT*

BRUTUS - A Northern Michigan couple are facing a stack of federal charges in connection with a pornography business they were allegedly running out of their Brutus home.

In a news release issued late Monday, U.S. Department of Justice officials identify the defendants as John Mart Messer and Deborah Messer of 6242 Johnson Road. In the indictment, returned Thursday by a grand jury in Grand Rapids, John Messer was charged with one count each of engaging in the business of selling obscene matter, mailing obscene matter, transporting obscene matter via common carrier, and possession of child pornography; and six counts of receiving child pornography. The grand jury charged Deborah Messer with aiding and abetting the operation of a business selling obscene matter. The obscenity counts carry a maximum penalty of up to five years in prison while the receipt of child pornography and possession of child pornography carry maximum penalties of 20 years and 10 years respectively.

Federal authorities said the indictment charges that the Messers operated a business under the name JMM Products Company for the purpose of distributing and selling products, principally videotapes, including obscene material.

The investigation and subsequent charges are the result of work by the U.S. Justice Department's Obscenity Prosecution Task Force. According to the government release, the task force "investigates and prosecutes the producers and distributors of hardcore pornography that meets the test for obscenity, as defined by the U.S. Supreme Court."

The court's three-part obscenity test is:

- (a) whether "the average person, applying contemporary community standards" would find the work, taken as a whole, appeals to the prurient interest,
- (b) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law, and
- (c) whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

On March 29, a group of FBI agents, assisted by Straits Area Narcotics Enforcement officers and Emmet County Sheriff's Department deputies, used a search warrant at the

Messers' home in Maple River Township.

In two of the counts, John Messer is accused of sending several "obscene" videotapes via common carrier to a location in Fairfax County, Va. Another count charges both people with engaging in the business of distributing obscene matter.

The six child pornography counts are related to accusations that John Messer was in possession of several child pornography images and video files downloaded from various Internet sites.

Officials with the U.S. Attorney's office in Grand Rapids said the couple were arrested in Brutus Monday, then transported to Grand Rapids to appear before a U.S. District Court magistrate. The magistrate released the Messers on a \$10,000 unsecured bond pending their next court appearance, which is an arraignment hearing scheduled for Thursday.

Steve Zucker may be reached at 439-9346, or [szucker@petoskeynews.com](mailto:szucker@petoskeynews.com).

# **Hunter trial in Lenawee delayed until June**

Wednesday, April 26, 2006

By Steven Hepker  
shepker@citpat.com -- 768-4923

Former Columbia Township Police Chief Mark Hunter's trial on child pornography and drug charges was postponed Tuesday in Adrian.

Lenawee County prosecutors declined to comment on the delay, and defense attorney David Blanchard could not be reached.

A pretrial hearing is planned May 17, with a trial set to start June 6.

Hunter faces 17 counts each of possessing child pornography and using a computer to commit a crime, and one count of heroin possession.

He is serving 11 months in Jackson County Jail after pleading guilty in February to stealing a police department rifle and eavesdropping -- videotaping himself having sex with a township employee without her knowledge.

The Jackson case stemmed from activities in the township hall near Brooklyn. Hunter, 45, resigned April 29 amid claims by a female officer that he sexually harassed her.

An investigation found Hunter purchased FBI-quality surveillance equipment with township money and videotaped 25 hours of sex acts with a secretary in his office. He also was accused of converting several township firearms into his name and selling them.

State police alleged further that a search of Hunter's home, in Lenawee County, revealed child pornography and a small amount of heroin.

April 26, 2006

## **Protect children**

I'm responding to the March 24 article about child abuse. I commend Attorney General Mike Cox for seeing this is as an important issue.

Besides looking into the treatment of children, I would hope he would look into the guidelines the case workers follow.

I'm familiar with one case where a parent requested child protective services look into allegations of physical abuse of a child by her stepfather.

The investigating case worker said the stepfather was within the guidelines. As I understand it, the 11-year-old child was threatened with bare-bottom spanking. The man also put his hand in the back pocket of her pants to see if they were too tight.

This shows that state guidelines protect the abuser, not the victim. For the sake of all children, the guidelines must be updated.

Thomas A. Hendricks  
Lansing

# No answers for domestic violence spike

Web-posted Apr 26, 2006

By CAROL HOPKINS  
Of The Oakland Press

Area domestic violence counselors aren't surprised that there have been three murdersuicides in Oakland County in less than three weeks.

"Sadly, it isn't news to us," said Emily Matuszczak, director of programs at HAVEN, a Pontiac-based center for the prevention and treatment of domestic violence and sexual assault.

"Domestic violence is occurring at a phenomenal rate in our society, and something needs to be done."

On April 8 in Oxford Township, Donald Fred Ward, 38, shot his wife, Vanessa Joyce Ward, 23, in a relative's home before committing suicide. The young wife had filed for divorce on March 29, having moved to her parents' Dryden home in December.

She claimed in the suit that he was drinking "to the point of intoxication on a virtually daily basis," and she sought custody of their 5-year-old daughter. She did not allege violence in her filing.

On April 10, 38-year-old Billy Ray Harris shot his wife, 40-year-old Sharee Lashon Harris, before turning the gun on himself in Southfield. The Harrises had been married about two years and had two teenage daughters.

On Sunday in Troy, 48-year-old Haoran Zhang shot and wounded his 38-year-old wife and then killed his wife's 71-year-old father before turning the gun on himself. He had been arguing with his wife for weeks, police said.

Studies indicate that without some type of intervention in abusive relationships, the "violence increases over time," Matuszczak said.

She added that an especially dangerous time can occur when the abuser feels he is losing control.

"Those times can be when a partner is threatening to leave or make changes such as a divorce," Matuszczak said.

According to a 1999-2003 study conducted by the Michigan Department of Community Health, a homicide occurs every eight days among intimate partners.

"Sometimes the thinking is If I can't have you, no one else can and because I don't want to pay the consequences for killing you, then I'll kill myself also," Matuszczak explained.

The killer may also believe in male privilege and rigid gender roles, as opposed to regarding a partner as a separate individual with their own thoughts and desires, she added.

As for why such killings occur, she said, "there is not just one answer."

The spike in local murdersuicides has not increased calls to HAVEN, said Meredith Newman, the center's marketing director.

An average of 950 calls a month were received during the first half of last year, Newman said, noting those were the most recent figures.

"We have (less calls) when abusers are likely to be in the home, like during vacations and holidays," Matuszczak said.

"That's because the survivor doesn't have a chance to call without being found out."

Staff sometimes see increases in shelter visitors during summer months, they said, because children are out of school.

Matuszczak did not believe Michigan's sluggish economy could be blamed.

"You'd have to know the way an individual deals with (those types of) stressors, but I don't know if that's the largest part," she said.

One important factor in homicide is the killer's access to weapons.

"If you have domestic violence and weapons in the home, you definitely up the risk of homicide or homicidesuicide occurring," she noted.

HAVEN staff stress people in abusive relationships should have a plan in place.

Noted Newman, "It's comparable to fire safety planning.

"Before there's a crisis, you should know all the ways out."

**More safety tips**

Develop a visual code with a neighbor - such as a lighted porch light means call the police.

Develop a coded statement if talking on the phone with friends or family. "If you say, 'I ran out of coffee cream,' it could mean 'I'm fearful - could you send police or come by?' " said Emily Matuszczak, HAVEN's director of programs.

Keep a spare set of car keys somewhere outside the home in case you need to get away.

During an argument, try to move out of the kitchen since it's a place with access to knives.

# **Suspect allegedly beat man to death with hammer**

**Victim, a former Warren resident, was transvestite living in Chicago area**

PUBLISHED: April 26, 2006

By Chad Halcom  
Macomb Daily Staff Writer

A Chicago area man is in custody awaiting a preliminary hearing in Illinois in the beating death of a former Warren resident.

Michael R. Davis, 20, appeared for a bond hearing this week in Cook County Circuit Court on charges of first-degree murder in the April 16 beating death of Krystal Heskin, in Elk Grove, Ill.

Officials said Heskin, 31, formerly John M. Heskin, had been living as a woman for at least five years and resided in Warren near Eight Mile and Sherwood for roughly six months last year. Police in Illinois said their investigation took them briefly to the Detroit area earlier this month, when they ruled out a possibility that the killer was there.

"We went there early on in the investigation, but it turns out that's another guy," said Elk Grove Deputy Police Chief Larry Hammar, of a man Heskin resided with in Warren. "He doesn't appear to have any connection to these events."

Heskin's transvestite identity as Krystal also appears to be unrelated to the slaying. Hammar and Elk Grove police Sgt. Michael Kirkpatrick both said Davis and Heskin had spent Easter Sunday together and apparently fell into an argument, which escalated until Davis allegedly grabbed a hammer in Heskin's motel room and began bludgeoning him.

"They had known each other for years. This isn't something that surprised him that day, or anything like that," Hammar said. He and other officers refused to elaborate on the nature of the argument, however, or the exact motive of the killing.

Circuit Judge Karen Thompson-Tobin of Cook County set bond at \$2.5 million Monday for Davis, who remains incarcerated awaiting a preliminary hearing May 19 in the case. At that time prosecutors must prove probable cause to sustain the indictment against him, said Tom Stanton of the Cook County State's Attorney Office.

A cleaning crew found Heskin's body the Tuesday following Easter in a Motel 6 room where he had been living, officials have said. At the time Heskin possessed three cell phones, all of which were taken from the room following the beating.

Police eventually caught up to Davis after tracing subsequent cell phone calls to him, and he apparently has made statements to police implicating himself. If convicted as charged, he could face life in prison.

Warren resident Valerie Freidinger, who has lived 45 years on Meadow Avenue near a house that Heskin and another man had rented last year, said she had spoken with Heskin many times and had no idea she was talking to a man. She was elated Tuesday on hearing news of Davis' arrest.

"I'm so glad they caught somebody, because nobody should have to die that way," Freidinger said. "She was always very nice, and would ask if we needed her help with anything around here."

Warren police apparently responded at least once to a domestic disturbance involving Heskin and a man named Robert Hudson, who vaguely matches Davis' description and lived with Heskin in a rented house on Meadow for several months. Freidinger referred to the man as Heskin's "boyfriend" and said the two occasionally threw loud parties, but she never really got to know them well.

Both were from the Chicago area, she recalled, and Heskin returned there after she could not make rent payments on the home. But police in both Michigan and Illinois said they had little record of any other trouble with Heskin, other than a ticket on a traffic stop last year for having no valid Michigan license.

Heskin, raised as John Heskin in southwest Chicago, changed his name to Krystal Heskin about five years ago. Although witnesses in the case have said they had no idea he was a man, police have said there were no signs of surgery or any evidence that he was a transsexual.

# **Preliminary exam Thursday for man charged with elder abuse**

**Cadillac News**

**April 26, 2006**

REED CITY - A preliminary exam is scheduled for Thursday in 77th District Court in Osceola County for Dennis James Dell'eva. Dell'eva was charged with involuntary manslaughter and second-degree vulnerable adult abuse in connection to his mother's 2004 death.

He was arrested March 15 in Macomb County after Attorney Mike Cox filed the charges. Estelle Dell'eva, 74, was found by paramedics at her son's home buried beneath layers of blankets and trash, malnourished and dehydrated.

She died one day later. Dennis Dell'eva, 52, allegedly cashed his mother's Social Security checks, spending the money on alcohol and food he ate, while neglecting his mother's needs.

Attorney for the state is David Tanay, an assistant attorney general in the criminal division. The court appointed attorney Dennis Duvall to represent Dell'eva.

If convicted, Dell'eva could face up to 15 years in prison on the involuntary manslaughter charge and up to four years on the vulnerable abuse charge. If convicted of both, the sentences would run concurrently.

# Teen charged with trying to kill mom expected to plead to arson

Wednesday, April 26, 2006

By Bryce Hoekenga  
Special to the Kalamazoo Gazette

ALLEGAN -- The case of a Plainwell girl who has been charged as an adult with attempted murder and arson is going back to Allegan County's juvenile court.

The girl is expected to plead guilty to the arson charge, and the attempted murder charge is expected to be dropped, according to prosecutors.

Prosecutors say the 15-year-old girl tried to kill her mother by setting their home ablaze, and had been facing up to life in prison if convicted on the attempted murder charge.

Her attorney, Matthew Antkoviak, met privately with county prosecutors at a pretrial hearing Tuesday in the county circuit court's adult division. He then entered the courtroom to tell the girl's family and friends that the case was returning to the juvenile division.

"I believe we have reached a good resolution," Antkoviak said, adding that his client is being held in the county juvenile home. "It's a very favorable resolution."

He declined further comment.

County prosecutor Frederick Anderson said his office received more information about the girl and decided to go along with the defense's request to have the court return the case to the juvenile division.

"We received input from (the girl's) counselors, parents and her attorney," Anderson said.

No date has been set for when she would enter a plea. Anderson said the girl's sentence could include probation, or she could be required to stay in either a county or state juvenile home.

According to court records, on Jan. 18, the girl returned home after a curfew imposed by her mother, who informed the girl that she would be grounded. After her mother went to bed, the girl sprayed hair spray on the carpet outside of her mother's bedroom, put a blanket over the area and then set it on fire.

The girl also lit a vest and threw it into her mother's room to block her mother's escape route. A smoke alarm woke her mother.

Both escaped safely, but the one-story house was seriously damaged.

Published April 26, 2006

## Marriage bills

A Lansing State Journal editorial

House Republicans pushing yet another batch of legislation to "improve" marriage ought to stop their own party's prime principles. Among them are these two:

- Government has a horrendous record of telling people how best to live their lives.
- It's good policy to make taxation less complex, not more.

Unfortunately, House Bills 5699, 5700, 5702 and 5703 - which are supposed to get a committee hearing next week - violate both those principles. They should go nowhere in this legislative session.

The purpose of these bills is to keep more people married and have fewer divorces. Noble sentiments, indeed. Michigan has far too many divorces - and the likelier-than-

average struggles of children in single-parent households are now well-known.

But as good Republicans should know, the existence of a social problem doesn't make government the best solution.

Take the idea of a \$50 state income tax credit for couples who agree to premarital counseling.

First, \$50 isn't going to motivate folks. Those who seek out premarital counseling would have done so anyway - and are probably in better shape to forge a happy, stable marriage than the average, too.

Second, why should Michigan be adding yet more deductions and lines to its already complicated state income tax form?

These four bills are "tie-barred," meaning all must pass for any to become law. Since this tax credit idea is so ridiculous, neither lawmakers nor citizens have to consider the other bills. They should all go down.

And the Republican-controlled Legislature should keep its focus on building a better budget for Michigan.

FOR IMMEDIATE RELEASE  
April 26, 2006  
CONTACT: Tiffany Menard  
(517) 335-9882

## **Wisdom Joins National Campaign To Prevent Teen Pregnancy Board of Directors *Will Lead State and Local Action Task Force***

Michigan Surgeon General Dr. Kimberlydawn Wisdom was elected to the Board of Directors of the National Campaign to Prevent Teen Pregnancy today in Washington DC. Wisdom will also take over as chairperson for the Campaign's State and Local Action Task Force.

"I'm honored to have been elected to serve in this capacity and represent our state in a national forum," Wisdom said. "This is a great opportunity to highlight the innovative efforts that the Governor has launched as part of her commitment to reducing unintended pregnancy and also determine ways to better address teen pregnancies at state and local levels."

In 2005, Governor Jennifer M. Granholm announced her Blueprint for Preventing Unintended Pregnancies - a three-point strategy designed to engage middle school parents in sex education efforts, increase access to family planning services, and significantly reduce the number of unintended pregnancies in Michigan. Wisdom has helped lead this initiative.

"We invited Dr. Wisdom to join the Campaign's Board of Directors because we believe that we can learn much from her expertise as an important state leaders working on teen pregnancy and as a physician with a commitment to public health," said Isabel V. Sawhill, Ph.D., Campaign President.

Michigan has enjoyed a steady decline in teen pregnancy and birth rates across all subsets of the teen population for more than a decade. While these declines indicate a significant level of success in the state's efforts to reduce teen pregnancy, Michigan continues to have an alarming number of youth who experience the serious health, emotional and financial consequences of pregnancy, childbirth, and engagement in sexual activity and other risky behaviors.

2005 Michigan Youth Risk Behavior Survey data indicates that forty-two percent of Michigan's high school aged youth (grades 9-12) have experienced sexual intercourse (a decrease from 44% reported on the 2003 YRBS). Seventy percent of all teen pregnancies are unintended.

The National Campaign to Prevent Teen Pregnancy, founded in February 1996, is a nonprofit, nonpartisan initiative supported almost entirely by private donations. Its mission is to improve the well-being of children, youth, and families by reducing teen pregnancy.

The goal of the National Campaign is to reduce the teen pregnancy rate by one-third between 2006 and 2015. The work of the National Campaign is led by a dedicated Board of Directors, four Task Forces, two Congressional Advisory Panels, and a Youth Leadership Team. The State and Local Action Task Force is a small group of influential leaders who provide guidance and advice to the campaign on its work with states and communities.

## **Editorial Rebuttal**

Wednesday, April 26, 2006

# **Cutting \$1.8 billion would devastate Michigan**

A News editorial claimed that to make up the \$1.8 billion in lost revenue from the potential elimination of the Single Business Tax, the state should implement a list of cuts that the Mackinac Center for Public Policy has proposed ("Here's how to trim state budget by \$1.8 billion," April 19). Not only are there technical flaws in its proposal, but if made, these cuts would devastate Michigan's economy and its quality of life.

At a time when we must produce a well-educated work force ready to compete in the 21st-century economy, cutting \$720 million from K-12 schools, universities and community colleges would jeopardize Michigan's economy.

Nearly \$250 million of these cuts would thoughtlessly slash health care and assistance to Michigan's most vulnerable citizens.

Lastly, \$300 million of the cuts supported by The News come under a fabricated category of "stimulate growth." It is simply not real, and no data exists to support the theory that this revenue would immediately appear once the Single Business Tax is eliminated. And because this figure was pulled out of the air, it would force further cuts to education, health care and public safety to balance the budget.

When we are working to retain and attract jobs, potential employers simply do not want to see these critical services decimated.

Gov. Jennifer Granholm's position has been clear: She will support legislation repealing the Single Business Tax if the legislation protects families from a tax increase and/or massive cuts to education, health care and public safety.

*Mary A. Lannoye*  
*State Budget Director*  
*Lansing*